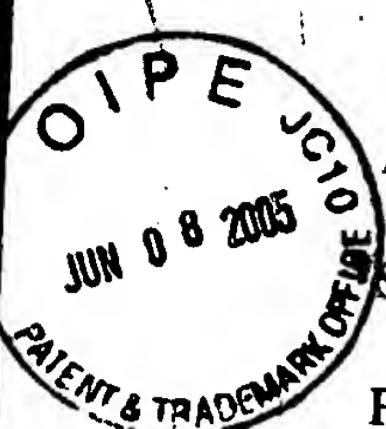


06-10-05

DEP/REF

Express Mail No. EV 534 877 436 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of: Shiao et al.

Confirmation No.:

9894

Serial No.: 09/830,693

Art Unit:

1652

Filed: March 30, 1999

Examiner:

Nashed, Nashaat

For: METHODS AND
COMPOUNDS FOR
MODULATING NUCLEAR
RECEPTOR ACTIVITY

Attorney Docket No.: 61040-0013-US

REQUEST FOR REFUND UNDER 37 C.F.R. §§ 1.26 and 1.28(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BEST AVAILABLE COPY

Sir:

Applicants hereby request a refund of 50% of the claim fees of \$250.00 charged on March 9, 2005 to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 61040-0013-US) in connection with the above-identified patent application.

Small entity status, pursuant to 37 C.F.R. § 1.27(c)(1), is being established on even date herewith in the above-identified application.

Pursuant to 37 C.F.R. § 1.28(a), a request for refund of fees paid in excess of the small entity amount is permissible where such request is made on or before 3 months from the payment of the excess fee and where small entity status is established on or before such time. In the instant application, such a request for a refund of claim fees authorized on March 9, 2005 is timely if made on or before June 9, 2005.

Accordingly, please refund 50% of the claims fee paid on March 9, 2005, by crediting \$125.00 to Morgan Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 61040-0013-US). A duplicate of this sheet is enclosed.

Respectfully submitted,

Richard G. A. Bone

Richard G. A. Bone

56,637

(Reg. No.)

MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, California 94306
Tel. (650) 843-4000

Express Mail No. EV 534 877 436 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Shiau et al.

Confirmation No.: 9894

Serial No.: 09/830,693

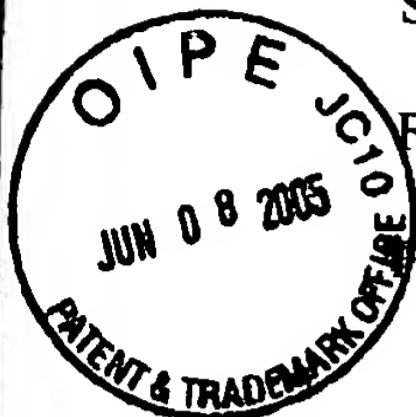
Art Unit: 1652

Filed:
or:
JUN 08 2005
JC10

March 30, 1999
(§ 371 date: January 29, 2002)
METHODS AND COMPOUNDS
FOR MODULATING NUCLEAR
RECEPTOR ACTIVITY

Examiner: Nashed, Nashaat

Attorney Docket No.: 61040-0013-US



**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS
UNDER 37 C.F.R. § 1.27(c)(1)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BEST AVAILABLE COPY

Dear Sir:

Applicants hereby assert, under 37 C.F.R. § 1.27(c)(1), entitlement to small entity status in the above-identified patent application, for the purpose of paying reduced fees in connection therewith.

Applicants also respectfully point out the request for a refund under 37 C.F.R. §§ 1.26 and 1.28(a) being filed concurrently herewith.

Applicants believe that no fee is due with this communication. However, if it is determined that a fee is due, please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 61040-0013-US). A copy of this sheet is enclosed for this purpose.

Respectfully submitted,

Date: June 8, 2005

By: Richard G. A. Bone 56,637
Richard G. A. Bone Reg. No.

for Thomas D. Kohler (32,797)
Morgan Lewis & Bockius LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306
(650) 843-4000



3-11-05

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1631
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Express Mail No. EV 534 876 705 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Shiao, et al.

Confirmation No.: 9894

Serial No. 09/830,693

Art Unit: 1631

Filed: March 30, 1999
(§ 371 date January 29, 2002)

Examiner: Nashed, Nashaat

For: METHODS AND COMPOUNDS
FOR MODULATING NUCLEAR
RECEPTOR ACTIVITY

Attorney Docket: 61040-0013-US

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BEST AVAILABLE COPY

Dear Sir:

In response to the Office Action mailed June 25, 2004 for the above identified patent application, and in accordance with 37 C.F.R. § 1.143, please consider and enter the following amendment and remarks prior to prosecution on the merits.

Applicants submit concurrently herewith: (a) a petition for reconsideration of restriction requirement; (b) a petition for use of color drawings under 37 C.F.R. § 1.84(a)(2); (c) a petition from requirement for restriction under 37 C.F.R. § 1.144; and (d) a fee sheet.

Amendments to the specification start at page 2 of this response.

Amendments to the claims start at page 4 of this response. This listing of claims will replace all prior versions and listings of claims in the application.

Remarks start at page 25 of this response.

3/15/2005 AWONDAF1 00000079 500310 09830693

1 FC:1202 250.00 DA

09830693

Adjustment Date: 07/22/2005 SDIRETA1
03/15/2005 AWONDAF1 00000079 500310 09830693
01 FC:1202 250.00 CR

07/22/2005 SDIRETA1 00000054 500310
01 FC:2202 125.00 DA